## REMARKS

Claims 1 to 29 were pending in the application at the time of examination.  Claims 1, 2, 4, 6 to 12, 14, to 18, 20 to 24, and 26 to 29 stand rejected as anticipated.  Claims 3, 5, 13, 19, and 25 stand rejected as obvious.

Applicants acknowledge an interview with the Examiner and his Supervisor on November 22, 2005.  U.S. Patent Nos. 6,789,255 and 5,930,504 were discussed with respect to the differences with the claims as amended above.  It was agreed that based on an initial review by the Examiners, but subject to further review, that the amended claims distinguished over the references.

Claims 1, 11, 17, 23, and 29 are amended to more precisely recite the invention.  Claims 2, 3, 12, 13, 18, 19, 24, and 25 are amended to correct an informality introduced by the amendment to the independent claim from which each depends.

Claims 1, 11, 17, 23, and 29 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,789,525, hereinafter referred to as Pedrizetti.  In the final rejection, the Examiner cited to a database and information contained in the database.  Claim 1, as amended, recites "a memory segment" and defines code space.  Applicants respectfully submit that a database and information stored therein fails to teach the invention in the same detail as recited in Claim 1.  Accordingly, Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 1.

With respect to Claim 1, Applicants note that U.S. Patent No. 5,930,504, hereinafter Gabel, shows a process in Fig. 3 for updating nonvolatile memory and in Fig. 4, a data structure used in that update.  In steps 335 and 355, for example, Gabel teaches using a system memory and in steps 345 and 365 copying in accordance with protected procedures.  This fails to teach

exactly the operations in Claim 1 and teaches away from the operations cited therein.

Claims 2, 4 and 6 to 10 depend from Claim 1 and so distinguish over Pedrizetti for at least the same reasons as Claim 1. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 2, 4, and 6 to 10.

Claim 11 is a program storage device corresponding to method Claim 1 and thus includes substantially the same distinctive feature as Claim 11. Accordingly, the above comments with respect to Claim 1 are incorporated herein by reference for Claim 11. Applicants request reconsideration and withdrawal of the anticipation rejection Claim 11.

Claims 12 and 14 to 16 depend from Claim 11 and so distinguish over Pedrizetti for at least the same reasons as Claim 11. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 12 and 14 to 16.

Claim 17 is a means-plus-function claim corresponding to method Claim 1 and thus includes substantially the same distinctive feature as Claim 1. Accordingly, the above comments with respect to Claim 1 are incorporated herein by reference for Claim 17. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 17.

Claims 18, 21 and 22 depend from Claim 17 and so distinguish over Pedrizetti for at least the same reasons as Claim 17. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 18, 21 and 22.

With respect to the anticipation rejection of Claim 23, the above comments with respect to Claim 1 are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 23.

Claims 24 and 26 to 28 depend from Claim 23 and so distinguish over Pedrizetti for at least the same reasons as Claim 23. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 24 and 26 to 28.

With respect to Claim 29, Claim 29 includes elements similar to those described above with respect to Claim 1 and so the comments with respect to Claim 1 are incorporated herein by reference. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 29.

Claims 3, 13, 19 and 25 stand rejected under 35 U.S.C. § 103 as being unpatentable over Pedrizetti in view of U.S. Patent No. 5,930,504, hereinafter referred to as Gabel. Assuming the combination of references is correct, the additional material cited in Gabel fails to overcome the deficiencies of the primary reference as noted above with respect to the independent claims from which these claims depend. Therefore, each of Claims 3, 13, 19 and 25 distinguishes over the combination of references for at least the same reasons as the independent claim from which it depends. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 3, 13, 19 and 25.

Claim 5 stands rejected under 35 U.S.C. § 103 as being unpatentable over Pedrizetti in view of U.S. Patent No. 5,930,504, hereinafter referred to as Gabel. Assuming the combination of references is correct, the additional material cited in Gabel fails to overcome the deficiencies of the primary reference as noted above with respect to Claim 1 from which Claim 5 depends. Therefore, Claim 5 distinguishes over the combination of references for at least the same reasons as Claim 1. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of Claim 5.

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Claims 1 to 29 remain in the application. Claims 1 to 3 11 to 13, 17 to 19, 23 to 25 and 29 are amended. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).
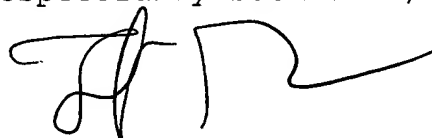
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**November 23, 2005**
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